

To satisfy the written description requirement, a patent specification must describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention.

* * *

It is now well accepted that a satisfactory description [of the claimed invention] may be in the claims or any other portion of the originally filed specification.

* * *

The examiner has the initial burden, after a thorough reading and evaluation of the content of the application, of presenting evidence or reasons why a person skilled in the art would not recognize that the written description of the invention provides support for the claims. There is a strong presumption that an adequate written description of the claimed invention is present in the specification as filed.

(Emphasis added, citations omitted.)

Applicants respectfully point out to the Examiner that “licensing information” elements of the Applicants’ invention were expressly recited in claims 5 and 6, as originally filed:

5. The method of claim 1 further comprising collecting vehicle licensing information as part of the loan/credit application form.

6. The method of claim 5 further comprising automatically transmitting the collected licensing information to an appropriate licensing agency or service provider.

(Emphasis added.)

Applicants contend that the recitation of “licensing information” found in original claims 5 and 6, in conjunction with at least Figure 2 and the following excerpt of the Applicants’ disclosure as originally filed, would permit one skilled in the art to “envisage” the claimed invention, as MPEP 2163 requires:

The address screen 30 includes data entry fields for the applicant’s name, date of birth, age, . . . [and] address.
(Page 6, lines 11-15.)

* * *

The vehicle screen 36 includes data entry fields for information relating to the vehicle to be purchased . . . such as . . . the vehicle identification number (VIN), year, make, model, . . . [and] mileage . . . (Page 6, lines 25-30.)

* * *

Intermediate system server 20 operates to coordinate communication between one or more users/clients and . . . services 56 such as a department of motor vehicles. Communication with services 56 allows the present invention to automatically collect other information related to the vehicle sale/lease transaction, such information related to completion of standard motor vehicle forms . . . (Page 8, lines 22-31.)

(Emphasis added.)

Without waiver of Applicants' prior positions of record, Applicants respectfully point out that Examiner Jordan III admitted in Paper No. 3 that vehicle licensing information is "old and well known". (Paper No. 3, paragraph 4.) Similarly, Examiner Hess admitted under official notice in Paper No. 7 that vehicle licensing information, inputting such information, and transmitting such information to a service provider is "old and well known". (Paper No. 7, paragraph 6.) In Paper No. 10, Examiner Calve admitted that that "licensing information" includes at least a vehicle identification number (VIN). (Paper No. 10, paragraph 1.) In describing Anderson et al (US Patent 5,774,883), Examiner Calve characterized feature 206 (Figure 3a - "VEHICLE INFO") as "licensing information". Anderson describes feature 206 as including "basic information about the vehicle to be purchased 110 and the customer 104". (Column 11, lines 5-15.) As stated above, such vehicle and customer information is precisely the type of information the Applicants' disclosure suggests transmitting to a licensing agency.

Furthermore, the current Examiner has failed to satisfy his burden of presenting evidence or reasons why a person skilled in the art would not recognize that the written description of the invention provides support for the claims, as MPEP 2163 expressly requires

the Examiner to do. The Examiner has set forth no evidence to overcome the “strong presumption” that an adequate written description of the claimed invention is present in the specification as filed.

Rejections Under 35 USC 103(a)

The Examiner has additionally rejected claims 1-3, 7-10, 12 under 35 USC 103(a) as being unpatentable over DeFrancesco (US Patent 5,878,403) in view of Bennett (US Patent 6,092,121) and further in view of Mulqueen (Communications Week “Users Test Real-Time Car Registration”(n454/p15)(May 17, 1993). In doing so, the Examiner has maintained and repeated the 35 USC 103(a) rejections raised by Examiner Calve in Paper No. 10.

The Applicants respectfully traverse this rejection and repeat the arguments made in their Appeal Brief in response to Examiner Calve’s Final Office Action (Paper No. 10.). Without waiver of and as set forth more fully in the Applicants’ Appeal Brief, the proposed combination fails to teach or suggest, at least, the recited step of “transmitting licensing information to a licensing agency to facilitate vehicle licensing”.

Throughout the prosecution of this case, the Examiners have repeatedly mischaracterized Bennett as disclosing “transmitting licensing information to an appropriate licensing agency” (citing Column 5, line 20 et seq.) Bennett simply teaches no such step, and the Examiners have offered no support whatsoever to the contrary. The portion of Bennett, Column 5 of that Examiners Calve and Akers have apparently relied on states:

. . . the dealer server can also access via the Internet various databases, such as a credit bureau server 20, providing access to commercial credit bureaus such as Equifax, TRW (Experian) and TransUnion, to obtain the credit rating of a potential buyer, so-called "black book" and "blue book" databases connected to server 21 to assess trade-in values, and the state's Department of Motor Vehicles server 22 to verify registration and insurance information.

(Bennett, column 5, lines 16-24, emphasis added.)

Simply “accessing”, “assessing” or “verifying” information that is already stored on a third-party database, as Bennett discloses, is a far-cry from the transmission of

"new" licensing information to a third party (e.g., licensing agency) for subsequent third-party processing (e.g., vehicle licensing), as claims 1 and 8 recite. Only the Applicants have recognized the advantages of such an arrangement.

Applicants respectfully request that if the Examiner intends to again reject Applicant's claims in view of Bennett, that the Examiner specifically identify and explain his support and motivation for doing so.

Summary

Applicant has made a genuine effort to respond to the Examiner's rejections in advancing the prosecution of this case. Applicant believes all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

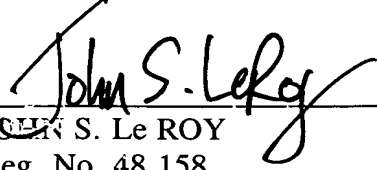
No additional fee is believed to be due as the result of the filing of this paper. However, any additional fees or credits should be applied to Deposit Account 06-1510 (Ford Global Technologies, Inc.) as authorized by the original transmittal letter in this case.

The Examiner is requested to telephone the undersigned to discuss prompt resolution of any remaining issues necessary to place this case in condition for allowance.

Respectfully submitted,

NANCY A. TAMMARO

By


JOHN S. Le ROY

Reg. No. 48,158

Attorney/Agent for Applicant

Date:

1-24-03

BROOKS & KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
Phone: 248-358-4400
Fax: 248-358-3351